

Kelly M. Dermody (State Bar No. 171716)
Heather H. Wong (State Bar No. 238546)
LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP
275 Battery Street, 30th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Facsimile: (415) 956-1008

Attorneys for Plaintiffs and the Proposed Class
[Additional Counsel listed on Signature Page]

Jay Cohen (*pro hac vice*)
Brad S. Karp (*pro hac vice*)
Daniel J. Toal (*pro hac vice*)
Liza M. Velazquez (*pro hac vice*)
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

*Attorneys for Defendant Citigroup Global
Markets Inc. d/b/a Smith Barney*
[Additional Counsel listed on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RENEE FASSBENDER AMOCHAEV,
DEBORAH ORLANDO, KATHRYN N.
VARNER and IVY SO, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

CITIGROUP GLOBAL MARKETS, INC.,
d/b/a SMITH BARNEY,

Defendant.

Case No. C- 05-1298 PJH

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER
ADJOURNING CLASS CERTIFICATION
SCHEDULE AND SETTING DEADLINE TO
FILE PRELIMINARY SETTLEMENT
APPROVAL PAPERS**

1 WHEREAS, Plaintiffs' Motion for Class Certification is due to be filed on
2 September 13, 2007;

3 WHEREAS, the parties advised the Court by Joint Stipulation dated July 30, 2007
4 that the parties had reached substantive agreements on the monetary terms of the settlement and
5 agreed that a brief extension of the class certification schedule was warranted so that the parties
6 could complete discussions on the programmatic relief to resolve this matter;

7 WHEREAS, the process to resolve this matter has taken longer than anticipated to
8 complete due to the highly complicated nature of the contemplated programmatic relief;

9 WHEREAS, the parties are still considering independent consultants in accordance
10 with the terms agreed to in the programmatic relief;

11 WHEREAS, the parties had a conference call on September 10, 2007 to discuss
12 the remaining outstanding issues and agree that the process is near completion;

13 WHEREAS, the parties have been mediating under the supervision of Hunter R.
14 Hughes, Esq., of Rogers & Hardin LLP, Atlanta, Georgia, who is available to speak with the
15 Court about the progress of the mediation at the Court's convenience at his office number, (404)
16 420-4622 should the Court be interested in speaking with him; and

17 WHEREAS, the parties and their counsel agree that the proposed modification is
18 appropriate and will not unduly delay processing this action,

19 IT IS HEREBY STIPULATED, by and between the parties through their
20 respective counsel of record, that the parties propose the schedule for class certification be
21 adjourned *sine die* and propose that the Court set the deadline for filing Preliminary Settlement
22 Approval papers on October 28, 2007.

23 SO STIPULATED.
24
25
26
27
28

1 Dated: September 12, 2007

Respectfully submitted,

2 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

3
4 By: /s/ Kelly M. Dermody
Kelly M. Dermody

5 Kelly M. Dermody (State Bar No. 171716)
6 Heather H. Wong (State Bar No. 238546)
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
7 Embarcadero Center West
275 Battery Street, 30th Floor
8 San Francisco, CA 94111-3339
Telephone: (415) 956-1000
9 Facsimile: (415) 956-1008

10 Elizabeth A. Alexander (*Pro Hac Vice*)
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
11 150 Fourth Avenue, N., Ste. 1650
Nashville, TN 37219-2423
12 Telephone: (615) 313-9000
Facsimile: (615) 313-9965

13 Adam T. Klein (*Pro Hac Vice*)
14 Justin M. Swartz (*Pro Hac Vice*)
Piper Hoffman (*Pro Hac Vice*)
15 OUTTEN & GOLDEN LLP
3 Park Avenue, 29th Floor
16 New York, New York 10016
Telephone: (212) 245-1000
17 Facsimile: (212) 977-4005

18 Cyrus Mehri (*Pro Hac Vice*)
Lisa M. Bornstein (*Pro Hac Vice*)
19 Sandi Farrell (*Pro Hac Vice*)
Anna M. Pohl (*Pro Hac Vice*)
20 MEHRI & SKALET, PLLC
1250 Connecticut Ave, NW, Suite 300
21 Washington, DC 20036
Telephone: (202) 822-5100
22 Facsimile: (202) 822-4997

23 James M. Finberg (State Bar No. 114850)
ALTSHULER BERZON
24 177 Post Street, Ste. 300
San Francisco, CA 94108
25 Telephone: (415) 421-7151
Facsimile: (415) 362-8064

26 *Attorneys for Plaintiffs and the Proposed Class*
27
28

1 DATED: September 12, 2007

PAUL, WEISS, RIFKIND, WHARTON & GARRISON
LLP

2
3 By: /s/ Jay Cohen
Jay Cohen

4 Jay Cohen (*pro hac vice*)
5 Brad S. Karp (*pro hac vice*)
6 Daniel J. Toal (*pro hac vice*)
7 Liza M. Velazquez (*pro hac vice*)
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

10 Malcolm A. Heinicke (State Bar No. 194174)
11 MUNGER, TOLLES & OLSON LLP
560 Mission Street, 27th Floor
San Francisco, CA 94105
12 Telephone: (415) 512-4000
13 Facsimile: (415) 512-4077

14 *Attorneys for Defendant Citigroup Global Markets Inc.*
15 *d/b/a Smith Barney*

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2007

The Honorable Phyllis J. Hamilton
United States District Judge